

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2563 - SB 2481

March 6, 2022

SUMMARY OF BILL: Creates a Class C misdemeanor offense for a person under 21 years of age to consume or possess vapor products on the property of a public K-12 school.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. 39-17-1604(6), smoking or the use of vapor products is not permitted, and no person shall smoke or use vapor products, in all public and private kindergartens and elementary and secondary schools. Adult staff members may be permitted to smoke or use vapor products outdoors but not within 100 feet of any entrance to any building. Adults may also smoke or use vapor products in any fully enclosed adult staff residential quarters but not in the presence of children attending the school.
- It is assumed that the majority of adult staff members are over the age of 21 years.
- It can be reasonably estimated that many cases of a person under 21 years of age smoking or vaping would be handled within the school system or that a law enforcement officer would issue the person with a citation, per Tenn. Code Ann. § 39-17-1505(a-c).
- It is, however, assumed that this legislation may result in some convictions.
- However, it is estimated that, on average, a person convicted of a Class C misdemeanor offense will spend 0 days in jail. Therefore, any increase in expenditures to state or local government related to incarcerations is estimated to be not significant.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant.
- It is assumed that state and local courts can process any increase in caseload within the normal course of business utilizing existing resources.
- Any fiscal impact to state or local government is estimated to be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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